

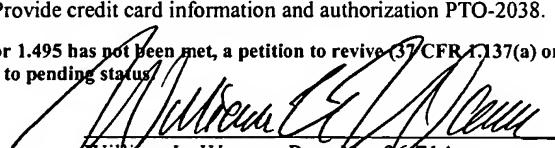
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| Form PTO-1390 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE<br>(Rev. 1001-2003)  |   | Attala's Docket Number<br>16313-0346  |
| TRANSMITTAL LETTER TO THE UNITED STATES<br>DESIGNATED/ELECTED OFFICE (DO/EO/US)<br>CONCERNING A FILING UNDER 35 U.S.C. 371   |   |   |
| International Application No.<br>PCT/US03/024364   | International Filing Date<br>August 4, 2003 | U.S. Application No.<br>(if known, see 37 CFR 1.10)<br><b>107523303</b><br>To be Assigned |
| Title of Invention<br><b>SUGAR AND LIPID METABOLISM REGULATORS IN PLANTS IV</b>  |   |   |
| Applicant(s) for DO/EO/US<br>Volker MITTENDORF, Heiko A. HAERTEL, Joerg BAUER and Oliver OSWALD  |   |   |
| Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:  |   |   |
| <ol style="list-style-type: none"> <li><input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li><input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li><input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), and (9) and (21) indicated below.</li> <li><input checked="" type="checkbox"/> The US has been elected (Article 31).</li> <li><input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))             <ol style="list-style-type: none"> <li><input checked="" type="checkbox"/> is attached herewith (required only if not communicated by the International Bureau).</li> <li><input type="checkbox"/> has been communicated by the International Bureau.</li> <li><input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li><input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).             <ol style="list-style-type: none"> <li><input type="checkbox"/> is attached herewith.</li> <li><input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ol> </li> <li><input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))             <ol style="list-style-type: none"> <li><input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li><input type="checkbox"/> have been communicated by the International Bureau.</li> <li><input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li><input checked="" type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li><input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li><input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li> <li><input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ol> |   |   |
| <b>Items 11. to 20. below concern document(s) or information included:</b>   |   |   |
| <ol style="list-style-type: none"> <li><input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li><input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li><input checked="" type="checkbox"/> A preliminary amendment.</li> <li><input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</li> <li><input type="checkbox"/> A substitute specification.</li> <li><input type="checkbox"/> A power of attorney and/or change of address letter.</li> <li><input checked="" type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 U.S.C. 1.821 – 1.825.</li> <li><input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</li> <li><input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</li> <li><input checked="" type="checkbox"/> Other items or information: Statement accompanying sequence listing and paper copy of sequence listing; return receipt postcard</li> </ol>   |   |   |
| Express Mail Label No. EL 973737710 US   |   | Date: February 2, 2005 Page 1 of 2  |

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| U.S. Application No. (if known)<br>To be Assigned  | International Application No.<br>PCT/US03/024364 | Attorney's Pocket Number<br>16313-16 |
| 21. <input type="checkbox"/> The following fees are submitted:   |  | CALCULATIONS PTO USE ONLY            |
| <b>BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)):</b>  |  |                                      |
| Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$1,110.00   |  |                                      |
| International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO.....\$950.00   |  |                                      |
| International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO .....\$790.00   |  |                                      |
| International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4).....\$750.00   |  |                                      |
| International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4).....\$100.00   |  |                                      |
| <b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>  |  |                                      |
| \$ 750.00  |  |                                      |
| Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).   |  |                                      |
| Claims   | Number Filed                                     | Number Extra                         |
| Total claims   | 35 - 20 =  | 15                                   |
| Independent Claims   | 4 - 3 =  | 1                                    |
| <b>TOTAL OF ABOVE CALCULATIONS =</b>   |  |                                      |
| \$2,080.00   |  |                                      |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by ½.   |  |                                      |
| \$ 0.00  |  |                                      |
| <b>SUBTOTAL =</b>  |  |                                      |
| \$2,080.00   |  |                                      |
| Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).  |  |                                      |
| <b>TOTAL NATIONAL FEE =</b>  |  |                                      |
| \$2,080.00   |  |                                      |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +   |  |                                      |
| <b>TOTAL FEES ENCLOSED =</b>   |  |                                      |
| \$2,080.00   |  |                                      |
|  |  | <b>Amount to be refunded:</b>        |
|  |  | \$                                   |
|  |  | <b>charged:</b>                      |
|  |  | \$                                   |
| <p>a. <input checked="" type="checkbox"/> A check in the amount of \$2,080.00 to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. 19-5029 in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account No. 19-5029. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization PTO-2038.</p> |  |                                      |
| <p><b>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</b></p>    |  |                                      |
| <p>SEND ALL CORRESPONDENCE TO:<br/>         William L. Warren, Esq.<br/>         SUTHERLAND ASBILL &amp; BRENNAN, LLP<br/>         999 Peachtree Street, N.E.<br/>         Atlanta, Georgia 30309<br/>         Telephone: 404-853-8000</p>   |  |                                      |
| <p>William L. Warren, Reg. No. 36,714<br/> <b>CUSTOMER NO. 50913</b></p>   |  |                                      |
| FORM PTO-1390 (Rev. 10-2003) page 2 of 2   |  |                                      |